



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FEB 01 2012

Robert J. Bass
Director of Public Works
City of Meriden
142 East Main Street, Room 19
Meriden, Connecticut 06450-5667

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c),
and 761.79(h)
Factory H-International Silver Company
Meriden, Connecticut

Dear Mr. Bass:

This is in response to the City of Meriden (the City) Notification¹ for approval to clean up and dispose of PCB-contaminated building materials located in the building known as Building A (the Site) - Factory H-International Silver Company and located at 77 Cooper Street in Meriden, Connecticut. The Site contains PCB caulk that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a) and § 761.62.

In its Notification, the City has proposed the following PCB cleanup and disposal plan:

- Remove all PCB caulk with greater than or equal to (\geq) 50 parts per million (ppm) and dispose in a TSCA-approved disposal facility or RCRA hazardous waste landfill
- Remove PCB-contaminated capstones and metal flashing located on the 3-story building and dispose as a \geq 50 ppm PCB waste in a TSCA-approved disposal facility or RCRA hazardous waste landfill
- Mark with paint or other suitable materials, PCB-contaminated building materials (e.g., concrete and brick) located on the Saw-Tooth building to a distance of 12 inches from the PCB caulk joint and demolish the building in-place

¹ The Notification was prepared by AECOM on behalf of the City of Meriden to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and (c). Information was submitted dated July 15, 2011 (Building Materials and Soil Remedial Plan); December 9, 2011 (response to comments and Revised Building Materials and Soil PCB Remedial Plan); January 16, 2012 (email Response to EPA questions); and, January 24, 2012 (clarification on building encapsulation). These submittals shall be referred to as the "Notification".

- Separate visually marked building materials from the demolition debris pile and dispose of as a ≥ 50 ppm PCB waste in a TSCA-approved disposal facility or RCRA hazardous waste landfill
- Dismantle the air handling structure (i.e., cyclone) located adjacent to the Saw-Tooth building and recycle provided PCB verification samples are $\leq 10 \mu\text{g}/100 \text{ cm}^2$
- Conduct characterization sampling to determine extent of PCB contamination in trap rock and soil around the Saw-Tooth building
- Remove *PCB remediation waste* (e.g., soil, glazing, and caulk) with PCB concentrations of greater than ($>$) 1 ppm but less than ($<$) 50 ppm and dispose in accordance with § 761.61(a)(5)(i)(B)(2)(iii)
- Conduct verification sampling in soils to confirm that the PCB cleanup standard of ≤ 1 ppm has been met

The City has determined that certain caulks which have PCB concentrations at < 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the caulk or for decontamination of surfaces that are in contact with the caulk. While these building materials are not addressed in the Approval, the City indicates in its Notification that the *Excluded PCB Products* will be removed and disposed of in a permitted landfill.

Based on EPA's review, the information provided in the Notification meets the requirements under 40 CFR §§ 761.61, 761.62, and 761.79(h) for removal and disposal of *PCB bulk product waste* and for removal and/or decontamination of *PCB remediation waste*.

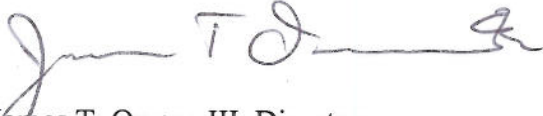
With respect to in-place demolition of the Saw-Tooth building, given the safety concerns, the relatively low PCB concentrations in the adjacent building substrates, and the proposed controls during building demolition, EPA believes that the proposed plan is reasonable and should create no unreasonable risk to public health or the environment during the demolition activities. EPA may approve the demolition in accordance with § 761.61(c).

The City may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a) and (c); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

This Approval does not release the City from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Connecticut Department of Energy and Environmental Protection (CT DEEP) regulations.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in dark ink, appearing to read "James T. Owens III", followed by a stylized flourish.

James T. Owens III, Director
Office of Site Remediation & Restoration

cc: Malcolm Beeler, AECOM
Gary Trombly, CT DEEP PCB Program
Edith Pestana, CT DEEP EJ Coordinator
Kathy Castagna, USEPA BF
File

Attachment 1: Approval Conditions

ATTACHMENT 1

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
INTERNATIONAL SILVER COMPANY
FACTORY H – BUILDING A (“the Site”)
77 COOPER STREET, MERIDEN, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. The City of Meriden (the City) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. The City must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, the City shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. The City is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time the City has or receives information indicating that the City or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by the City are authorized to conduct the activities set forth in the Notification. The City is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release the City from compliance with any applicable requirements of federal, state or local law; or 3) release the City from liability for, or otherwise resolve, any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from the City of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. The City shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment and air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL and DISPOSAL CONDITIONS

11. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
12. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of PCB caulk (i.e. *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. The cleanup standard for *bulk PCB remediation wastes* (i.e., soils) shall be less than or equal to (\leq) 1 part per million (ppm). Samples shall be collected on a bulk basis (e.g. mg/kg) and reported on a dry-weight basis. Verification sampling shall comply with Subpart O; samples shall be collected from both excavation bottoms and sidewalls, as applicable.

- c. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
13. The PCB decontamination standard for *porous surfaces* (i.e., concrete and brick) shall be less than or equal to (\leq) 1 part per million (ppm).
14. The decontamination standard for *non-porous surfaces* (i.e. metal cyclone) shall be less than or equal to (\leq) 10 $\mu\text{g}/100\text{ cm}^2$.
- a. All post-decontamination verification sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e. $\mu\text{g}/100\text{ cm}^2$) and samples shall be collected in accordance with Subpart P.
 - b. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to Subpart Q.
15. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

16. The City shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by the City to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.

17. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
18. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
19. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

20. The City shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by the City in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
21. The City shall submit a final report to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the decontaminated area(s); copies of manifests and bills of lading; and, copies of certificates of disposal or similar certifications issued by the disposer.
22. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

23. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1